Preserve

PRESERVED

App. F. IX-4

1934-35 (C-1)

File No. 37 34

Serial Nos. 1 5

Previous References

C. 0 105-31 (1-4, 7-15, 17-24, 27, 28, 31)

C. 1 30-33 (1-4, 7, 10-15)

& C. 66-1A (1-4)

Later References

C. S 11-36 (85, 148, 149, 152)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. five

Part B for July 31-

SUBJECT.

Scale of batta for witnesses in Cooperative disputes.

Sc 5) Notifies the adding a date laying down the scale of batta to be paid to witnesses in Cooperative disputes. [To the Compiler, Madras Gazette]

M. 072 & 8/9 - 7 - 1935.

WD 01965—GPB—15,000—7-7-34

3281/34

General and Revenue Secretariat | CS File No. 37 of 1934. | [App. F. III—2

Serial No.

1 From the Regr of CS

No 4078 Dy. 14/11/34

Requests in the circumstances explained that provision be made in the Rules authorizing the Registrar to levy such reasonable fees from parties to dispute for payment to the Arbitrator or Board of Arbitration.

Draft submitted for consideration of these Rules proposed by the Registrar may be published in the Gazette and opinions called for

DO 27/11

2 No references put up. Where is the previous letter of the Registrar dated 18.6.34? Put up the file re amendments to Rule 16 recently ordered. Also the file re amendment re costs made at the instance of the Chamarajpuram Society.

(X) (X) (P) × in linked file below

3 Sealed with the fees

MC 27/11

Secy 23/11/34

4 May be published after consulting the Law Secy.

3017/29.11.34

Dep. Secy

Secy 28/11/34

5 Dftpd

MM 11.12.34

6 Law Secy

Secy 11/12/34

1/52 Law MM 11/12

7 Rule 16 of the rules framed under Co-op societies

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

2351

3284

C.S. File No. 37 of 1934. | General and Revenue Secretariat

Reg^n is proposed to be amended to make provision for recovery of expenses incidental to the arbitration proceedings and payment of the same to the arbitrators in deserving cases.

8 There seems no legal objection to the amendment proposed.

152 Law

ASD 12/12

9. Is there no rule by which Costs can be awarded by the officers of the Department sitting as Judges to decide disputes under Sec 43 A ? Are such costs awarded in practice ; if so on what basis ?

12/12/34

(D.O. 3V)

10 Dept concerning submitted

13/12

Issue dtd 13/12/34

To. The Registrar of C.S. 2

No. D. 3969 Q/17.12.34.

Enquiries if there is no rule by which Costs can be awarded by the officers of the Dept. Sitting as Judges to decide disputes.

Sir A

NO REV. SECRETA

18/12

8 JAN 1935

DEVE

Immediate Reply yes 3

No 5068 Q/19/12/34

States that there is no rule at present providing for the award of costs except the Court fees paid & no such costs are given by the officers of the Dept.

14 DEC 1934 GENL & R.

3681 pos 3

3:21

General and Revenue Secretariat | CS File No. 37 of 1934 | [App. F. III—2

Serial No.

" Submitted with spl ref to para 9 supra :

my 8/1 12 Law Secy)

dcg 8/1/35

13) The rule now proposed only provides for recovery of costs incidental to arbitration proceedings - what about the costs incurred during proceedings before the Registrar or his subordinates ? For instance there is provision for summoning witnesses etc - who is to pay their batta and what is the process fee to be levied - As far as I have seen the existing rules there seems to be no provision made for assessing costs and awarding the same to the successful party ~~such~~ just as in Civil courts. I think rules to regulate this matter have to be made under Sec 44 (2) (l)(iii) of the Regulation.

14) Perusing the framing of a set of general & comprehensive rules as suggested above the rule now proposed is all right so far as it goes.

Dear Sir)

BRP 4/2/35

4681

15) The Rule will now be published in the Gazette and further proposals called for from the Registrar for amending the Rules as above.

Dear Secy)

dcg 5/2/35

NOTE—Contn. Sheet.

WD 0(2)(6) GGPB—1,000—12-33

(16) The Reg may be consulted

HW 15-2-35.

dcg

3075

6S File No. 37 of 193 C. | General and Revenue Secretariat

Draft Orders for Consideration.

28/2/35.

17 Forwarded with Compliments to the Registrar of Co-operative Societies, for opinion with reference to para 13 of the Notes.

Memo No. 1627/934/35 dt. 1.3.1935
C 5105-31 (1-4-32)
-3033 (1-4-7-45)
Ec 6615 (1-74)

B. O.
Seshamayappa
1/3/35

7313 C.S
3.3.35

Dear Secretary to Government
& K.D. Development Department

16 Most of the disputes filed before the Registrar and the other Departmental Officers are uncontested. Where they are contested the counter-petitioner produces his witnesses and summons the necessary documents. He pays their batta himself. If the dispute is decided in his favour, no costs are now being awarded to him, as there is no provision for payment of such costs. I think a rule permitting the payment of costs to the successful party in a dispute is desirable and I therefore propose that under Section 44 (2) 1 (iii) a rule to this effect may be framed.

17 "The Registrar shall have power to lay down the scale of batta to be paid to witnesses summoned under Section 43 B and the incidental expenses to be paid to an Arbitrator or Board of Arbitrators, deciding the dispute. Such cost and incidental expenses

C.S
M.N.
V-3

5 Coop 734 p

3075

General and Revenue Secretariat — G.S. File No. 37 of 1934 — [App. F. III–2

Serial No.

shall be treated as costs of the dispute and may, at the discretion of the person or persons deciding the dispute, be ordered to be recovered from the party or parties against whom the decision or award is passed."

G.S. dcg

Registrar of Co-operative Societies.

1st Draft.

The Bill may perhaps be referred ~~The Registrar's Opinion~~ ref to paras 13+14 above

Esq. KP 5/8/35 Law dec[illegible]

dcg 5/3/35

152 Law — Examine the proposal with ref to sec 35 C.P.C. ME 5/7

1. Under sec 35 C.P.C. the Costs of and incidental to all suits shall be in the discretion of the Court and the Court shall have full power to determine by whom or out of what property and to what extent such costs are to be paid. Provision is also made to direct the payment of interest on Costs at any rate not exceeding six per cent per annum.

2. The rule now proposed by the Reg[istrar] is not so comprehensive as that of the C.P.C.

TSD 8/3

NOTE—Contn. Sheet.

2357/C.S

50.2/Pr

File No. of 193

General and Revenue Secretariat

5433/11/3

3 I think it is necessary and desirable to have a complete set of rules prescribing the process fee & batta to be paid to witnesses, the manner of assessing the incidental expenses of arbitration and then to have a rule somewhat on the lines of sec 35 giving the Registrar & any other officer deciding the dispute power to determine the costs & the party who should be held liable to pay the same —

4 The Registrar may be requested to draft a set of rules both under sec 43 B and sec 44 C (c) (c) & submit the same to us for further consideration & sanction

Dev Secy) 10/3 9/3/35

5 Yes. This might be done

11.3

6 Forwarded, with compliments, to the Registrar of Co-operative Societies, in response for favour of necessary action.

By Order,
Seshavarayappa
for Dev. Secy to Govt

11/3/35

Regd no 16 V 69343
11.3.35
Issue pro
Noted in no 162/34

11/3 pro-forma and Cir. rules

Memo No. 8133 CS / 25.3.55

27 Returned with compliments to the Secretary to Government, Development Department.

28 The following is proposed as Rule 16 X (i) and (ii):-

16 X. "(i) The following shall be the scale of batta to be paid to witnesses summoned under Section 43 B and the same shall be paid by the party at whose instance the witness is summoned:-

Witnesses will be divided into three classes:

Third Class - Persons whose monthly income is below Rs.100/-

Second Class - Persons whose monthly income is Rs.100 and above

First Class - Persons whose monthly income is Rs.250 and above

Scale of Batta.

Class of witness.	T.A. for journey to and from place of hearing where the latter is in a different station from that of the witness.			Subsistence allowances including expenses per day.
	By rail.	By road		
		Where there is a public conveyance such as a motor bus plying for hire.	Where there is no public conveyance plying for hire.	
3rd Class.	Single lowest class fare.	Single lowest class fare.	Two annas per mile.	Six Annas.
2nd Class.	Single II Class fare.	Single II Class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve Annas.
1st.Class.	The authority summoning the witness may decide and allow single I Class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.		Six annas per mile.	One Rupee and annas eight.

Note: When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistenee allowance.

(ii) On every dispute referred to the Aribtrator or Board of Arbitrators, a fee not exceeding 4 annas per dispute shall be paid by the Petitioner to the Arbitrator or Board of Arbitrators as incidental expenses.

Expenses under (i) and (ii) above shall be treated as costs

5060/p/34

of the dispute and may, at the discretion of the person or persons deciding the dispute, be ordered to be recovered from the party or parties against whom the decision or award is passed"

Bangalore,
24th March 1935.

M. S. [illegible]
Registrar of Co-operative Societies in Mysore.

REV SECTT. 26 MAR 1935 AKM) 24/3 DEVELOPMENT BRANCH.

Submitted refee to the Law Dept's view at para 2 supra.

[illegible] Law Secy)

The Scale of costs fixed in rule 16(x)(i) is rule 2 of Chapter III of according to the rules followed in the Civil Courts (vide p. 37 Rules & orders Civil Vol. I). Rules similar to that of the Civil Courts appear to be necessary. No provision is made as to the deposit of such costs. The proviso to rule (ii) makes the petitioner to pay Rs 4 only to the arbitrator or board of arbitrators as small sum incidental expenses. This is probably meant for stationery and despatching notices as pointed out in the Registrar's letter dt. 16.11.34.

Submitted for orders with reference to para 2 supra.

The last para may be as follows:—

Expenses under (i) & (ii) above shall be treated as costs of ~~and incident~~ the dispute and the ~~person or persons~~ authority deciding the dispute shall have full power to determine by whom

C. S. Rules 30 & 37 of 1934.

or out of what property and to what extent such costs ~~are to be paid~~ and all other costs incidental to the dispute are to be paid and to give all necessary directions for the purposes aforesaid. Where the authority deciding the dispute directs that any costs shall not follow the event the authority shall state its reasons in writing.

Interest on costs at any rate not exceeding 6% per annum may be awarded and such interest shall be added to the costs & shall be recoverable as such —

This is on the lines of Sec 35 of the C.P.Code. With this modification the rule ~~may~~ as suggested may be adopted —

Dew Br) 10/4

REV. DEPTT.
11 APR. 1935
DEVELOPMENT BRANCH

OFFICE OF THE
HIGH COMMISSIONER
15 APR 1935
7473

The proposed amendments to the Rules under the C. S. Regulation are for orders. Preliminary notification is necessary

6165
4.4.35

11/4/35

May be approved with the modification suggested above.

Dew. Secy) 11/4/35

13.4.

Japan Rules 1935 may issue by 16/4

16/4 Draft 16/4/35

DEPTT SECRETARIAT

General and Revenue Secretariat

G File No. 87 of 1934 [App. F. III–2

Serial No.

Draft noted

Issue
dcg
7/4/35

16/4
17/4

4

To. The Compiler
No. D. 7076 S 26.4.35.
Notifies the above & calls for suggestions
No. D. 7077 S 26.4.35
Copy to Legl. Dept. & C.S for information

The notification was only published on 2.5.1935. Since no objections or suggestions of any kind have been received upto to-date The draft rule may now be formulated - noted for with a draft notification

2/7 (1st Member)

dcg
2/7/35

4/7 4/7

Issue
dcg
4/7/35

To The Compiler
No. D 7728 11.7.35
Notifies the above Rule.

NOTE—Contn. Sheet.

Gs 37-24-1.

GOVERNMENT OF MYSORE.

No 4028 C.S.

DEPARTMENT OF CO-OPERATION.

Telegraphic Address: "CO-OPERT" BANGALORE

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Dated, Bangalore, 14 November 1934.

From

GULAM MOHADIN MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
BANGALORE.

To

M.Venkatanarappa, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, B a n g a l o r e.

Sir,

I have the honour to invite your kind reference to this Office letter No.8746/C.S. dated 18th June 1934 re: the amendments to Rule 16 of the Rules under the Mysore Co-operative Societies' Regulation VII of 1918 as amended from time to time and to state that no provision has been made in the Rules for the recovery of expenses incidental to the arbitration proceedings and the payment of the same to the Arbitrators in deserving cases. There is great difficulty in securing the services of persons for being appointed as Arbitrators, and it is but right that they should be given, their contingent expenses for writing up and despatching notices etc., to parties. It is not the object to give the Arbitrators any remuneration for their work but only the small expenditure incurred by them, on stationery and despatching notices etc. A few cases have come up, where the Arbitrators have been demanding these out of pocket contingent charges. In view of this, I request that Government may be pleased to authorise the Registrar to levy such reasonable expenses from the parties to the dispute and pay them to the Arbitrator or Board of Arbitrators concerned. If this meets with the approval of Government, the following may be added as Rule 16(x) of the Rules under the Co-operative Societies' Regulation.

"16(x). The Registrar shall have power to lay down the scale of expenses incidental to the disposal of the disputes, when they are referred to an Arbitrator or Board of Arbitrators and to fix the charges to be paid to the person or persons deciding the dispute. The Arbitrator or Board of Arbitrators shall have the power to order such expenses to be paid out of the funds of the society or by such party or parties to the dispute as he or they may think fit. Such expenses shall be treated as costs of the

P.T.O.

the dispute and may, at the discretion of the person or persons deciding the dispute, be ordered to be recovered from the party or parties against whom the award is passed."

I have the honour to be,
Sir,
Your most obedient servant,

W. S. Mathews
Registrar. 1/7/11

L.S.13/11.

Appendix F.G—1]

SUBJECT .....

.....

.....

Section C5

File No. 37-34

Serial No.

No. D.969/2

To

The Registrar

Diary No. of letter replied to .....

General and Revenue Secretaria

( )

the 193

Date of issue 17/12/34

Signed by

Sir,

With reference to your letter No 40758 of 14/11/34 requesting that provision may be made in the Rules authorizing the Registrar to levy such reasonable fees from parties to disputes for payment to the Arbitrator or Board of Arbitrators, I am directed to enquire if there is no rule by which costs can be awarded by the officers of the Department sitting as judges to decide disputes under Section 63A of the Registration Act and

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPB—23,500—12-6-34

whether such costs are awarded in practice, and if so, on what basis.

Thanks

13/1/04 DW Levy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. D 1969 — 15th December 1934.
C/S 37-34-2

Dated, Bangalore, 15th December 1934.

From

The *Secretary to the Government of His Highness the Maharaja of Mysore,*
Development Department.

To

The Registrar of Co-operative Societies in Mysore,
Bangalore.

Sir,

With reference to your letter No.4078 dated 14th November 1934 requesting that provision may be made in the Rules authorising the Registrar to levy ~~such~~ some reasonable fees from parties to dispute for payment to the Arbitrator or Board of Arbitrators, I am directed to enquire if there is no rule by which costs can be awarded by the officers of the Department sitting as judges to decide disputes under section 43 A of the Regulation, and whether such costs are awarded in practice, and if so, on what basis.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Development Department.

hks.2

G.O. S. 37-34-2 3675

GOVERNMENT OF MYSORE.

21 DEC. 1934

No. 5068 C.S.

DEPARTMENT OF CO-OPERATION.

Telegraphic Address:
"CO-OPERT"
BANGALORE

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE.

Dated, Bangalore, 19th Decr. 1934.

From

GULAM MOHADIN MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
Bangalore.

To

M. Venkatanarnappa, Esq., B.A.,
Secretary to Government, Development Department
Bangalore.

Sir,

With reference to your letter No.D.3969/C.S.37-34-2 dated 17th December 1934 enquiring whether there is no rule by which costs can be awarded by the officers of the Department sitting as judges to decide disputes under Section 43 A of the Co-operative Societies Regulation and whether such costs are awarded in practice etc., I have the honour to state that there is no rule at present providing for the award of costs except the court-fee paid and no such costs are given by the officers of the Department.

I have the honor to be,
Sir,
Your most obedient servant,

Registrar.

12 copies

9707B

Notification

No. 8 _____ 8

C. S. 37-34-H

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The following draft rule proposed to be added to the Rules issued under Section 44 of the Mysore Co-operative Societies Regulation VII of 1918 as amended by Regulation V of 1929 and VI of 1933, is hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by this rule may be forwarded so as to reach the Secretary to Government, Development Department, within two months from the date of publication of this Notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

Any suggestions received after the due date will not receive consideration.

4/26/4/35

Signed/ M. V. Venkob. Rao

Add the following as Rule 16 (X). (i) and (ii)

"16 (X) (i) The following shall be the scale of batta to be paid to witnesses summoned under Section 43 B of the Regulation and the same shall be paid by the party at whose instance the witness is summoned.

Witnesses will be divided into three classes: || Third Class. Persons whose monthly income is below Rs 100/-

|| Second Class. Persons whose monthly income is ~~above~~ Rs 100/- and above.

|| First Class. Persons whose monthly income is Rs 250 and above.

Date 17/4/12

WD 0255—GPB—10,000—23-8-32

Scale of Batta

Class of witness	T. A for journey to and from place of hearing where the latter is in a different station from that of the witness			Subsistence allowances including expenses per day.
	By rail	By road		
		Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
3rd Class	Single lowest class fare	Single lowest class fare	2 annas per mile	Six annas
2nd class	Single second class fare	Single second class or lowest class fare when there are only 2 classes.	4 annas per mile	Twelve annas
1st class	The authority summoning the witness may decide and allow single 1st class fare where he is satisfied that the witness habitually travels by the higher class available in public conveyances. In other cases, single 2nd class fare only.		6 annas per mile	One Rupee and annas eight

Note: When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowance.

(ii) On every dispute referred to the Arbitrator or Board of Arbitrators, a fee not exceeding 4 annas per dispute shall be paid by the Petitioner to the Arbitrator or Board of

G. R.-S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Arbitrators as incidental expenses.

Expenses under (i) and (ii) above shall be treated as costs of the dispute and the authority deciding the dispute shall have full power to determine by whom or out of what property and to what extent such costs and all other costs incidental to the dispute are to be paid and to give all necessary directions for the purposes aforesaid. Where the authority deciding the dispute directs that any costs shall not follow the event, the Authority shall state its reasons in writing

Interest on costs at any rate not exceeding 6% per annum may be awarded and such interest shall be

WD 0255—GPB—10,000—23-8-32

added to the Costs and
shall be recoverable as
such

By order

dcs 27/4/35
Secy to Govr
Dev. Dept.

To the Compiler Mysore Gazette for publication in Pt IV A
Mysore Gazette with a request that 50 spare copies of the
publication may be furnished to the Asst
Copy to the Regr of CS.

A 7077

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. D 7076 / GS 37-34-4

General and Revenue Secretariat,

Dated Bangalore, 17th April 193 4

NOTIFICATION.

The following draft rule proposed to be added to the Rules issued under Section 44 of the Mysore Co-operative Societies -- Regulation, VII of 1918 as amended by Regulation V of 1919 and VI of 1933, is hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by this rule may be forwarded so as to reach the Secretary to Government, Development Department, within two months from the date of publication of this Notification in the Mysore Gazette, after which they will be taken into consideration by Government.

Any suggestions received after the due date will not receive consideration.

Add the following as Rule 16(X)(i) and (ii)

16(x)(i). The following shall be the scale of batta to be paid to witnesses summoned under Section 45 B of the Regulation and the same shall be paid by the party at whose instance the witnesses is summoned.

Witnesses will be divided into three classes:-

Third Class - Persons whose monthly income is below Rs.100/-

Second Class- Persons whose monthly income is Rs. 100/- and above.

First Class - Persons whose monthly income is Rs. 250/- and above.

P.t.o.

Scale of Batta.

Class of witness.	Travelling allowance for journey to and from place of hearing where the latter is in a different station from that of the witness.			Subsistence allowances including expenses per day.
	By Rail.	By road. Where there is a public conveyance such as a motor bus plying for hire.	By road. Where there is no public conveyance plying for hire.	
3rd Class.	Single lowest class.	Single lowest class fare.	Two annas per mile.	Six annas.
2nd Class.	Single II Class fare.	Single II Class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve annas.
1st Class.	The authority summoning the witness may decide and allow single I Class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.		Six annas per mile.	One Rupee and annas eight.

Note:- When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowances.

(ii) On every dispute referred to the Arbitrator or Board of Arbitrators, a fee not exceeding 4 annas per dispute shall be paid by the Petitioner to the Arbitrator or Board of Arbitrators as incidental expenses.

Expenses under (i) and (ii) above shall be treated as costs of the dispute and the authority deciding the dispute shall have full power to determine by whom or out of what property and to what extent such costs and all other costs incidental to the dispute are to be paid and to give all necessary directions for the purposes aforesaid. Where the authority deciding the dispute directs that any costs shall not follow the event, the authority shall state its reasons in writing.

Interest on costs at any rate not exceeding 6% per annum may be awarded and such interest shall be added to the costs and shall be recoverable as such."

By Order,

Subbarayappa

Secretary to Government,
Development Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette with a request that 50 spare copies of the Notification may be furnished to the Secretariat.

TRM. 12

NOTIFICATION.

No: D 72 - 1087-34-5

The Govt. of H. H. the Maharaja are pleased to make the following addition to the Rules issued under Section 44 of the Mysore Co-operative Societies Regulation VII of 1918 as amended by Regulation V of 1929 and VI of 1933 :— 27/7/35

Add the following as Rule 16 (x) (i) and (ii).

"16 (x) (i). The following shall be the scale of batta to be paid to witnesses summoned under Section 43 B of the Regulation and the same shall be paid by the party at whose instance the witness is summoned.

Witnesses will be divided into three classes :—

THIRD CLASS.—Persons whose monthly income is below Rs. 100.

SECOND CLASS.—Persons whose monthly income is Rs. 100 and above.

FIRST CLASS.—Persons whose monthly income is Rs. 250 and above.

SCALE OF BATTA.

Class of witness	Travelling allowance for journey to and from place of hearing where the latter is in a different station from that of the witness.			Subsistence allowances including expenses per day
		By road		
	By Rail	Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
3rd Class ...	Single lowest class.	Single lowest class fare ...	Two annas per mile.	Six annas.
2nd Class ...	Single 2nd class fare.	Single II Class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve annas.
1st Class ...		The authority summoning the witness may decide and allow single 1st Class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.	Six annas per mile.	One rupee and annas eight.

NOTE.—When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowance.

(ii) On every dispute referred to the Arbitrator or Board of Arbitrators, a fee not exceeding 4 annas per dispute shall be paid by the Petitioner to the Arbitrator or Board of Arbitrators as incidental expenses.

Expenses under (i) and (ii) above shall be treated as costs of the dispute and the authority deciding the dispute shall have full power to determine by whom or out of what property and to what extent such costs and all other costs incidental to the dispute are to be paid and to give all necessary directions for the purposes aforesaid. Where the authority deciding the dispute directs that any costs shall not follow the event, the authority shall state its reasons in writing.

Interest on costs at any rate not exceeding 6 per cent per annum may be awarded and such interest shall be added to the costs and shall be recoverable as such."

Rule 16/17

By Order,

dtd 27/7/35

Secretary to Government,
Development Department.

To the Controller. M.Q. for publication with a request that 150 copies of the Notification may be furnished to the Secretariat

D 71.

Copies 40 for information. General.

NOTIFICATION.

No. D.172—C. S.37-34-5, dated Bangalore, 8—9th July 1935.

The Government of His Highness the Maharaja of Mysore are pleased to make the following addition to the Rules issued under Section 44 of the Mysore Co-operative Societies Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933 :—

Add the following as Rule 16 (x) (i) and (ii) :—

"16 (x) (i). The following shall be the scale of batta to be paid to witnesses summoned under Section 43-B of the Regulation and the same shall be paid by the party at whose instance the witness is summoned.

Witnesses will be divided into three classes :—

Third Class.—Persons whose monthly income is below Rs. 100.

Second Class.—Persons whose monthly income is Rs. 100 and above.

First Class.—Persons whose monthly income is Rs. 250 and above.

Scale of Batta.

Class of witness	Travelling allowance for journey to and from place of hearing where the latter is in a different station from that of the witness			Subsistence allowances including expenses per day
	By Rail	By Road		
		Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
3rd class ...	Single lowest class.	Single lowest class fare ...	Two annas per mile	Six annas.
2nd class ...	Single 2nd class fare.	Single 2nd class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve annas.
1st class ...	...	The authority summoning the witness may decide and allow single 1st class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.	Six annas per mile.	One rupee and annas eight.

Note.—When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowance.

(ii) On every dispute referred to the Arbitrator or Board of Arbitrators, a fee not exceeding 4 annas per dispute shall be paid by the Petitioner to the Arbitrator or Board of Arbitrators as incidental expenses.

Expenses under (i) and (ii) above shall be treated as costs of the dispute and the authority deciding the dispute shall have full power to determine by whom or out of what property and to what extent such costs and all other costs incidental to the dispute are to be paid and to give all necessary directions for the purposes aforesaid. Where the authority deciding the dispute directs that any costs shall not follow the event, the authority shall state its reasons in writing.

Interest on costs at any rate not exceeding 6 per cent per annum may be awarded and such interest shall be added to the costs and shall be recoverable as such."

By Order,
H. V. RAMASVAMI,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATION.

No. D. 72—C. S. 37-34-5, dated Bangalore, 8—9th July 1935.

The Government of His Highness the Maharaja of Mysore are pleased to make the following addition to the Rules issued under Section 44 of the Mysore Co-operative Societies Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933 :—

Add the following as Rule 16 (x) (i) and (ii) :—

"16 (x) (i). The following shall be the scale of batta to be paid to witnesses summoned under Section 43-B of the Regulation and the same shall be paid by the party at whose instance the witness is summoned.

Witnesses will be divided into three classes :—

Third Class.—Persons whose monthly income is below Rs. 100.

Second Class.—Persons whose monthly income is Rs. 100 and above.

First Class.—Persons whose monthly income is Rs. 250 and above.

Scale of Batta.

Class of witness	Travelling allowance for journey to and from place of hearing where the latter is in a different station from that of the witness			Subsistence allowances including expenses per day
	By Rail	By Road		
		Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
3rd class ...	Single lowest class.	Single lowest class fare ...	Two annas per mile.	Six annas.
2nd class ...	Single 2nd class fare.	Single 2nd class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve annas.
1st class ...	...	The authority summoning the witness may decide and allow single 1st class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.	Six annas per mile.	One rupee and annas eight.

Note.—When the witness resides in the same station as the place of hearing, it will be discretionary with the authority summoning the witness to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowance.

Published in the Mysore Gazette of 2/5/35

NOTIFICATION.

No. D. 7076—C. S. 37-34-4, dated Bangalore, 26th April 1935.

The following draft rule proposed to be added to the rules issued under Section 44 of the Mysore Co-operative Societies Regulation, VII of 1918 as amended by Regulation V of 1929 and VI of 1933, is hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by this rule may be forwarded so as to reach the Secretary to Government, Development Department, within two months from the date of publication of this Notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

Any suggestions received after the due date will not receive consideration.

Add the following as Rule 16 (X) (i) and (ii).

"16 (*x*) (*i*). The following shall be the scale of batta to be paid to witnesses summoned under Section 43 B of the Regulation and the same shall be paid by the party at whose instance the witness is summoned.

Witnesses will be divided into three classes :—

THIRD CLASS.—Persons whose monthly income is below Rs. 100.

SECOND CLASS.—Persons whose monthly income is Rs. 100 and above.

FIRST CLASS.—Persons whose monthly income is Rs. 250 and above.

SCALE OF BATTA.

Class of witness	Travelling allowance for journey to and from place of hearing where the latter is in a different station from that of the witness.			Subsistence allowances including expenses per day
	By road			
	By Rail	Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
3rd Class ...	Single lowest class.	Single lowest class fare ...	Two annas per mile.	Six annas.
2nd Class ...	Single 2nd class fare.	Single II Class or lowest class fare where there are only two classes.	Four annas per mile.	Twelve annas.
1st Class ...		The authority summoning the witness may decide and allow single 1st Class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances. In other cases, single 2nd class fare only.	Six annas per mile.	One rupee and annas eight.